



Commonwealth  
of Massachusetts

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*www.state.ma.us/ocpf*  
*Office of Campaign and Political Finance*  
*One Ashburton Place, Room 411*  
*Boston, MA 02108*

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**Advisory Opinion**

December 3, 1998  
AO-98-25

Patrick J. Galvin, Treasurer  
The Galvin Committee  
444 Washington Street  
Brighton, MA 02135

Dear Mr. Galvin:

This letter is in response to your request for an advisory opinion regarding expenditures by The Galvin Committee ("Committee") for an inauguration celebration.

**Facts**

The Committee is planning to participate in an inaugural celebration for its candidate, Secretary of the Commonwealth William F. Galvin, who was reelected by the voters at the biennial state election held on November 3, 1998.

You state that it is your understanding that this office's regulations, specifically 970 CMR 2.05(2)(t), authorize the expenditure of campaign funds to pay for an inaugural celebration. You also understand that private funds may be expended for such a purpose as long as no private funds are deposited into the candidate's campaign account. You have asked if funds from both sources may be used for the same inaugural event.

It is my understanding that the Committee does not intend to sell tickets, e.g. receive contributions, but only to make expenditures in connection with the celebration.

**Question**

May an elected official make expenditures for an inaugural celebration from campaign funds, but also use private funds for other expenditures relating to the same event as long as neither the official nor the official's committee receives funds from the event?

**Answer**

Yes.

## **Discussion**

As you note, regulations issued by this office to implement M.G.L. c. 55, the campaign finance law, specifically allow for the payment of inaugural expenses. See 970 CMR 2.05(2)(t) authorizing expenditures for “[I]naustral expenses, which may include room rental, printing, decorations, entertainment, food and beverages.” Based upon the language of this regulation we have concluded that campaign funds may be used to pay for an inaugural event. See AO-97-25, a copy of which is enclosed for information. See also M.G.L. c. 55, s. 6 authorizing expenditures for the provision of constituent and legislative services. Whether an event is characterized as an inaugural ball, celebration or ceremony, I would conclude that the Committee may make reasonable and necessary expenditures in connection with such an event.

The office has also previously advised that the campaign finance law does not prohibit the use of private funds (or indeed governmental funds) to pay for an inaugural event. If the purpose of the event is to celebrate the inauguration of an elected official, private funds may be used **provided** the event does not financially benefit the elected official or that official’s candidate committee. If any private funds were to financially benefit the elected official or that official’s committee, such funds would be considered contributions. See M.G.L. c. 55, s. 1 and AO-97-25. Finally, I note that the office specifically advised in AO-97-25 that the costs of an inaugural event “may be paid for using campaign funds . . . or private funds.”

On November 3, 1998 the voters adopted the Clean Election Law Initiative. One issue raised by passage of this initiative concerns that payment of inaugural expenses by elected statewide officials who may wish to become “participants” under this new public financing law. To address this issue, the office has promulgated emergency regulations, effective Thursday, December 3, 1998. I have enclosed a copy of these regulations for your information.

This advisory opinion is issued solely within the context of the campaign finance law and is provided solely on the basis of representations in your letter and our telephone conversation. Since your question may also raise issues under M.G.L. c. 268A, the conflict-of-interest law, you may wish to contact the State Ethics Commission at 617-727-0060.

If you have any questions about this advisory opinion or the enclosed regulations, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, reading "Michael J. Sullivan" with a horizontal line extending to the right.

Michael J. Sullivan  
Director